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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JOSEPH JAMES GREER

Plaintiff,

v.

CITY OF HAYWARD, BAY AREA RAPID  
TRANSIT DISTRICT et al.,

Defendants.

CASE NO. 3:15-cv-02307-WHO

JOINT STIPULATION RE: SCHEDULING  
OF MOTIONS FOR SUMMARY  
JUDGEMENT

WHEREAS, the above-referenced case is set for trial on April 10, 2016;

WHEREAS, the parties have a mediation set for October 26, 2016;

WHEREAS, the parties have essentially completed fact discovery;

WHEREAS, the parties agree that the mediation presents a helpful opportunity to resolve the case but do not want to waive their right to bring Motions for Summary Judgment if the matter does not resolve at mediation;

STIPULATION RE: SCHEDULING OF MOTIONS FOR SUMMARY JUDGMENT; 1  
PROPOSED ORDER

The parties request that the court amend the current order to allow for the mediation to proceed as scheduled and, should they be desired, Motions for Summary Judgment may be filed up until February 14, 2017.

THEREFORE, the parties, by and through their respective attorneys of record, hereby jointly stipulate and request that the Court make the following orders:

1. The parties are to maintain the current mediation set for October 26, 2016;
2. The time to file Motions for Summary Judgment is extended until February 14, 2017.

## IT IS SO STIPULATED

Dated: October 10, 2016

THE HALEY LAW OFFICES

By:                     /s/                      
**MATTHEW D. HALEY**  
Attorneys for Plaintiff DAVID DUTCHER

Dated: October 10, 2016

GILBERT, KELLY, CROWLEY & JENNETT LLP

By: \_\_\_\_\_/s/\_\_\_\_\_  
OWEN ROONEY  
Attorneys for Defendant BAY AREA RAPID  
TRANSIT and JON TOUGAS

Dated: October 10, 2016 CLAPP, MARONEY, VUCINICH, BEEMAN & SCHELEY

By: /s/  
JEFFREY M. VUCINICH  
Attorneys for Defendant CITY OF HAYWARD  
and individual officers

**ORDER**

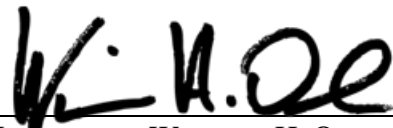
**PURSUANT TO THE FOREGOING STIPULATION, THE COURT ORDERS AS FOLLOWS:**

1. The parties are to maintain the current mediation set for October 26, 2016;
2. The time to file Motions for Summary Judgment is extended until **November 30, 2016**, with a hearing on the motions set for **January 4, 2017**.

The parties' proposed schedule would leave insufficient time between the Order on the motions for summary judgment and the pretrial conference. This revised schedule gives the parties more than a month from the mediation to file any motions if the case does not settle, and does not require briefing during the holidays.

**IT IS SO ORDERED**

Dated: October 11, 2016

By:   
THE HONORABLE WILLIAM H. ORRICK  
United States Senior District Judge